



**RESPONSE UNDER 37 C.F.R. §1.116  
- EXPEDITED PROCEDURE-  
EXAMINING GROUP 3654**

Docket No.: S1404.70004US01  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: David B. Spencer et al.  
Serial No.: 10/766,298  
Confirmation No.: 9344  
Filed: January 27, 2004  
For: HIGH-SPEED MATERIALS SORTING SYSTEM  
Examiner: T. H. Matthews  
Technology Center 3600

**Certificate of Mailing Under 37 CFR 1.8(a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 18, 2007

  
Steven J. Henry, Registration No. 27,900

**AMENDMENT AFTER FINAL ACTION UNDER 37 C.F.R. 1.116**

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated May 16, 2006, finally rejecting claims 1-9 and 13-61, please amend the above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page  
**Error! Bookmark not defined.** of this paper.

**Remarks/Arguments** begin on page 5 of this paper.